

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 12/29/2020**

UNITED STATES OF AMERICA,

v.

WILLIAM BAEZ,

Defendant.

No. 17-CR-618-05

ORDER

RONNIE ABRAMS, United States District Judge:

On November 6, 2020, the Court granted Defendant William Baez's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(1)(A) in light of his health condition and the COVID-19 pandemic. Dkt. 335. The Court ordered Baez to be placed on supervised release status with home confinement until April 26, 2026, the date on which he was expected to complete his custodial sentence.

On December 22, 2020, Baez wrote to the Court seeking clarification of the meaning of the term "home confinement" in the Court's November 6 order. The Probation Department has interpreted the term to mean "home incarceration," a level of restriction that requires Baez to seek Court approval for any travel outside of his home except for medical reasons. Baez maintains, by contrast, that the less restrictive condition of "home detention" is more appropriate.

The Court disagrees. Baez's term of supervised release is subject to a condition of home incarceration, which, as the government notes, is the usual level of supervision for defendants whose sentences are reduced pursuant to compassionate release. This condition of incarceration reflects not only the severity of Baez's underlying crime and the length of his original sentence, but also the justification for his sentence reduction, namely preventing severe harm from COVID-

19. As previously ordered, Global Positioning Satellites (GPS) shall be the technology used to monitor Baez's compliance with home incarceration.

In light of the fact that Baez will be on supervised release for more than five more years, however, his motion is denied without prejudice. He shall be permitted to make a further application to this Court to change the conditions of his supervised release once he is able to demonstrate a substantial record of compliance with the existing conditions.

SO ORDERED.

Dated: December 29, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

Ronnie Abrams
United States District Judge